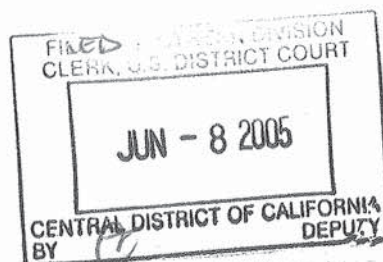


UNDER SEAL



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2004 Grand Jury

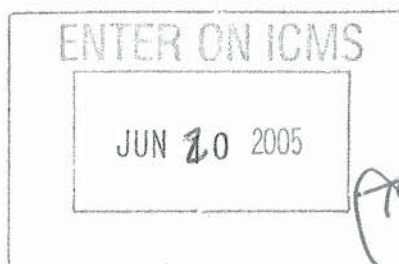
UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)

PETER OJEDA, aka "Sana,")
aka "The Senor," aka "The)
Big Homie," aka "The)
Homie," aka "The Old Man,")
aka "The S Man,")
MARCO DIAZ, aka "Slim,")
JOSE BECERRA, aka "Big)
Joe,")
RAFAEL TORRES, aka "Huero,")
DAVID MELGOZA, JR., aka)
"Lil' Sluggo,")
ANTHONY LEBRON, aka "Bala,")
RAMON MEZA, JR., aka)
"Capone,")
ABRAHAM MAGALLON, aka)
"Chema,")
JOSE ARVIZU, aka "Sonny,")
OSCAR RUIZ, aka "Snipes,")
aka "Sniper,")
JOSE RUIZ, aka "Baby)
Snipes," aka "Lil' Snipes,")
ISMAEL ESQUIVEL, aka)
"Bogart,")
MARIO SAUCEDO, aka)
"Clumsy,")

SA CR **SA05-124**

I N D I C T M E N T

[18 U.S.C. § 1962(d):
Racketeer Influenced and
Corrupt Organization
Conspiracy; 21 U.S.C. § 846:
Conspiracy to Possess with
Intent to Distribute and
Distribute Controlled
Substances; 21 U.S.C.
§ 841(a)(1): Distribution of
Methamphetamine]



①

1 ORLANDO ALVARADO, aka)
 "Little Trigger,")
 2 FREDDIE OJEDA, aka "Slack,")
 aka "Cricket,")
 3 FRANK NERIDA, aka "Sneaky,")
 DAVID TRUJILLO, aka "3D,")
 4 ARTHUR DURAN, aka "Chino,")
 ROBERT OCAMPO, aka)
 "Wicked,")
 5 FREDDIE LUEVANO, aka)
 "Freaky,")
 6 ABEL AZEVEDO, aka "Babs,")
 JOSEPH CASTRO,)
 7 LAWRENCE MORALES, aka)
 "Larry,")
 8 LONG NGUYEN, aka "Chino,")
 ROBERT CERVANTES, aka)
 9 "Gordo,")
 JOSE MARTINEZ, aka "Huero,")
 10 SANDRA FLORES,)
 DIEGO MORENO, and)
 11 MIA RODRIGUEZ,)
 12 Defendants.)
 13

14

15 The Grand Jury Charges:

16 INTRODUCTORY ALLEGATIONS

17 THE RACKETEERING ENTERPRISE

18 1. At all times relevant to this indictment:

19 PETER OJEDA, also known as ("aka") "Sana," aka "The Senor,"
 20 aka "The Big Homie," aka "The Homie," aka "The Old Man," aka "The
 21 S Man" ("P. OJEDA"), MARCO DIAZ, aka "Slim" ("DIAZ"), JOSE
 22 BECERRA, aka "Big Joe" ("BECERRA"), RAFAEL TORRES, aka "Huero"
 23 ("TORRES"), DAVID MELGOZA, JR., aka "Lil' Sluggo" ("MELGOZA"),
 24 ANTHONY LEBRON, aka "Bala" ("LEBRON"), RAMON MEZA, JR., aka
 25 "Capone" ("MEZA"), ABRAHAM MAGALLON, aka "Chema" ("MAGALLON"),
 26 JOSE ARVIZU, aka "Sonny" ("ARVIZU"), OSCAR RUIZ, aka "Snipes,"
 27 aka "Sniper" ("O. RUIZ"), JOSE RUIZ, aka "Baby Snipes," aka "Lil'
 28

1 Snipes," ("J. RUIZ"), ISMAEL ESQUIVEL, aka "Bogart" ("ESQUIVEL"),
2 MARIO SAUCEDO, aka "Clumsy" ("SAUCEDO"), ORLANDO ALVARADO, aka
3 "Little Trigger" ("ALVARADO"), FREDDIE OJEDA, aka "Slack," aka
4 "Cricket" ("F. OJEDA"), FRANK NERIDA, aka "Sneaky" ("NERIDA"),
5 and others, were members and associates of an organization headed
6 by P. OJEDA that engaged in acts of extortion, conspiracy to
7 commit extortion, assault, and aiding and abetting and conspiracy
8 to aid and abet the distribution of narcotics, for monetary gain.
9 This organization operated in the Central District of California,
10 and will be referred to in this Indictment as the "Ojeda
11 Organization." The Ojeda Organization, including its leadership,
12 membership, and associates, constituted an "enterprise," as
13 defined by Title 18, United States Code, Section 1961(4)
14 (hereinafter "the enterprise"), that is, a group of individuals
15 associated in fact. The enterprise constituted an ongoing
16 organization whose members functioned as a continuing unit for a
17 common purpose of achieving the objectives of the enterprise.
18 This enterprise was engaged in, and its activities affected,
19 interstate and foreign commerce.

20 GENERAL BACKGROUND

21 2. At all times relevant to this indictment, P. OJEDA
22 was a member of the Mexican Mafia, a powerful and violent prison
23 gang that exerted control over drug distribution and other
24 illegal activities within the California penal system, and
25 exerted control over Hispanic street gangs and their members in
26 southern California.

27 3. As a member of the Mexican Mafia, or "carnal," P. OJEDA
28 maintained the primary leadership role among Hispanic street gang

1 members in Orange County.

2 4. FxTroop, Westside Anaheim, the Alley Boys, and
3 Fullerton Tokers Town were all Hispanic street gangs operating in
4 and around Orange County, within the Central District of
5 California. The Ojeda Organization included high ranking and
6 intermediate level members of the FxTroop gang, as well as high
7 ranking members of Westside Anaheim, the Alley Boys, and
8 Fullerton Tokers Town. Those gang members assisted P. OJEDA in
9 exerting his influence over Hispanic street gangs and their
10 members in Orange County. The Ojeda Organization's influence
11 over Orange County Hispanic criminal street gangs and their
12 members extended from the streets of Orange County into the
13 Orange County Jail system and the California correctional system.

14 5. The Ojeda Organization required Hispanic criminal
15 street gangs in Orange County to pay money as a "tax" or
16 "tribute" (hereinafter "tax") on a regular basis. The tax was to
17 be a portion of the proceeds that each gang had earned from the
18 various criminal activities of its members. The Ojeda
19 Organization permitted the tax-paying gangs and gang members to
20 exert influence over their neighborhoods and territories.

21 6. The Ojeda Organization disciplined Orange County
22 criminal street gangs and their members who engaged in
23 unsanctioned violence, such as a drive-by shooting, which could
24 cause increased law enforcement attention and thereby threaten
25 the income of the Ojeda Organization. The Ojeda Organization
26 also disciplined any gang member who committed an act of
27 disrespect to the Ojeda Organization, any of its members, or
28 persons protected by it. This discipline could include a "green

1 light" on the offending gang or gang member, meaning the gang or
2 gang member would be assaulted by members of the Ojeda
3 Organization or those doing its bidding. Alternatively, an
4 offending gang or gang member would be required to pay a
5 "penalty" tax to the Ojeda Organization.

6 7. If any gang or gang member failed to pay a tax required
7 by the Ojeda Organization, the Ojeda Organization would put a
8 "green light" (authorization to assault) on the members of the
9 gang who were out on the streets and those who were incarcerated,
10 for example, in the Orange County Jail. Members of the Ojeda
11 Organization, or those doing its bidding, would then assault the
12 offending gang or gang members.

13 8. The Ojeda Organization taxed narcotics dealers in
14 Orange County and elsewhere. By paying the tax, the narcotics
15 dealers were free to sell narcotics without interference from the
16 Ojeda Organization. In addition, if narcotics dealers paid
17 significant amounts of money to the Ojeda Organization as taxes,
18 the Ojeda Organization would aid and abet these narcotics dealers
19 in their trafficking activities, including helping to collect
20 drug debts owed to the dealers and intervening on behalf of the
21 dealers in any disputes with customers, gang members, or any non-
22 organization member seeking to impose taxes on the dealer. As
23 with the Hispanic street gangs, if a narcotics dealer failed to
24 pay its required taxes, the Ojeda Organization would put a "green
25 light" out on the dealer, meaning the dealer would be assaulted
26 and/or forced to cease any narcotics trafficking activities.

27 9. The Ojeda Organization also controlled the Hispanic
28 inmate population of the Orange County Jail. It authorized

1 certain incarcerated inmates to "run" the jail on behalf of the
2 organization, which involved carrying out "green lights," i.e.,
3 assaults on inmates targeted by the organization, and collecting
4 taxes from jail inmates conducting illegal activities inside the
5 jail, such as narcotics trafficking.

6 PURPOSES OF THE ENTERPRISE

7 10. The purposes of the enterprise included, but were not
8 limited to, the following:

9 a. Preserving, protecting, and expanding the power of
10 the enterprise through the use of intimidation, violence, and
11 threats of violence.

12 b. Enriching the members of the enterprise through,
13 among other things, the extortion of narcotics traffickers and
14 gang members.

15 c. Promoting and enhancing the enterprise and the
16 activities of its members.

17 ROLES OF THE DEFENDANTS

18 11. The defendants participated in the operation and
19 management of the enterprise as follows:

20 a. Defendants P. OJEDA, DIAZ, and BECERRA were
21 leaders of the enterprise who directed other members of the
22 enterprise in carrying out unlawful and other activities in
23 furtherance of the conduct of the enterprise's affairs.

24 b. Under the direction of the leadership of the
25 enterprise, defendants TORRES, MELGOZA, LEBRON, MEZA, MAGALLON,
26 ARVIZU, O. RUIZ, J. RUIZ, ESQUIVEL, SAUCEDO, ALVARADO, F. OJEDA,
27 and NERIDA participated in unlawful and other activities in
28 furtherance of the conduct of the enterprise's affairs.

THE MEANS AND METHODS OF THE ENTERPRISE

12. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the Ojeda Organization were the following:

a. Members of the enterprise and their associates committed, and attempted and threatened to commit, acts of violence, including assault, to protect and expand the enterprise's criminal operations.

b. To generate income, members of the enterprise and their associates engaged in the extortion of narcotics traffickers and gang members.

c. To perpetuate the enterprise, the members of the enterprise and their associates concealed from law enforcement the way in which the enterprise conducted its affairs, the locations at which enterprise members discussed and conducted the affairs of the enterprise, and the locations at which enterprise members maintained the proceeds of the extortion of narcotics dealers and gang members.

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COUNT ONE

[18 U.S.C. § 1962(d)]

13. Paragraphs One through Twelve of this Indictment are realleged and incorporated by reference as though fully set forth herein.

14. Beginning on a date unknown to the grand jury, but at least since 2003, and continuing thereafter to on or about January 23, 2005, in Orange County, within the Central District of California, defendants P. OJEDA, DIAZ, BECERRA, TORRES, MELGOZA, LEBRON, MEZA, MAGALLON, ARVIZU, O. RUIZ, J. RUIZ, ESQUIVEL, SAUCEDO, ALVARADO, F. OJEDA, NERIDA, and others, being persons employed by and associated with the enterprise described in Paragraphs One through Twelve of this Indictment, that is, the Ojeda Organization, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5).

15. The pattern of racketeering activity through which the defendants P. OJEDA, DIAZ, BECERRA, TORRES, MELGOZA, LEBRON, MEZA, MAGALLON, ARVIZU, O. RUIZ, J. RUIZ, ESQUIVEL, SAUCEDO, ALVARADO, F. OJEDA, NERIDA, and others, agreed together and with each other, to conduct the affairs of the enterprise, consisted of multiple acts involving extortion, chargeable under the following provisions of state law:

1 a. California Penal Code, Section 518 (extortion);

2 b. California Penal Code, Sections 182, 518

3 (conspiracy to commit extortion);

4 and multiple acts involving narcotics trafficking,
5 including methamphetamine, heroin, and other controlled
6 substances, in violation of the laws of the United States,
7 Sections 841(a)(1) and 846 of Title 21, United States Code.

8 16. It was a further part of the conspiracy that each
9 defendant agreed that a conspirator would commit at least two
10 acts of racketeering in the conduct of the affairs of the
11 enterprise.

12 OVERT ACTS

13 17. In furtherance of the conspiracy and to accomplish the
14 object of the conspiracy, the defendants and their co-
15 conspirators committed the following overt acts, among others, in
16 Orange County, within the Central District of California:

17 (1) On or about January 31, 2004, defendant P. OJEDA,
18 directed defendant DIAZ to contact Alley Boys gang member "Chito"
19 regarding the collection of taxes from the Alley Boys gang.

20 (2) On or about February 16, 2004, defendant P. OJEDA
21 and defendant MELGOZA discussed MELGOZA's collection of taxes and
22 made arrangements for P. OJEDA to pick up taxes from MELGOZA.

23 (3) On or about February 23, 2004, defendant P. OJEDA
24 and defendant DIAZ discussed the collection of taxes from
25 Townsend Street gang member "Looney" and the collection of taxes
26 from a narcotics dealer.

27 (4) On or about February 27, 2004, defendant P. OJEDA
28 directed defendant F. OJEDA to contact "Spy" from the Alley Boys

1 gang to arrange for "Spy" to pay taxes to P. OJEDA on behalf of
2 the Alley Boys gang.

3 (5) On or about February 27, 2004, defendant P. OJEDA
4 spoke to "Spy" from the Alley Boys gang and arranged to collect
5 taxes from "Spy."

6 (6) On or about March 6, 2004, defendant P. OJEDA
7 agreed to send a note to a California penal institution verifying
8 an individual's membership in the Mexican Mafia.

9 (7) On or about March 23, 2004, defendant P. OJEDA
10 directed an unindicted co-conspirator to assault a narcotics
11 dealer who had not been paying taxes to the Ojeda Organization
12 and then tell the narcotics dealer the reason for the assault.

13 (8) On or about March 28, 2004, defendant ARVIZU
14 informed defendant DIAZ that he had collected taxes to give to
15 DIAZ.

16 (9) On or about March 31, 2004, defendant ARVIZU told
17 defendant DIAZ that he contacted a narcotics dealer and informed
18 the dealer that taxes would have to be paid to the Ojeda
19 Organization.

20 (10) On or about April 3, 2004, defendant P. OJEDA
21 directed defendant DIAZ to contact a bail bondsman P. OJEDA
22 sought to extort because the bail bondsman wanted to deal
23 narcotics.

24 (11) On or about April 3, 2004, defendant P. OJEDA
25 extorted a bail bondsman for \$500 in return for allowing the bail
26 bondsman to deal narcotics with permission of the Ojeda
27 Organization.

28 (12) On or about April 24, 2004, defendant P. OJEDA

1 and DIAZ discussed the extortion of a 7th Street gang member who
2 conducted a drive-by shooting and wounded an FxTroop gang member.

3 (13) On or about April 24, 2004, defendant F. OJEDA
4 informed defendant P. OJEDA that he had received \$2000 in taxes
5 paid by the father of the 7th Street gang member who wounded an
6 FxTroop gang member during a drive-by shooting.

7 (14) On or about April 30, 2004, defendant P. OJEDA
8 directed defendant DIAZ to investigate a drive-by shooting by
9 Hard Times gang members in which a little boy was killed.

10 (15) On or about May 13, 2004, defendant DIAZ spoke
11 with Orange County Jail inmate "Popeye" about "Popeye" being
12 assaulted by "Big John" from the Santa Nita gang, and DIAZ
13 discussed giving "Popeye" control of an area of the jail but told
14 "Popeye" to wait until DIAZ discussed it with an unindicted co-
15 conspirator who was running a portion of the jail for the Ojeda
16 Organization.

17 (16) On or about May 13, 2004, defendant DIAZ told an
18 unindicted co-conspirator who was an Orange County Jail inmate to
19 assault an inmate named "Jimbo" on direct orders from defendant
20 P. OJEDA and to assault an inmate named "Johnny" for assaulting
21 "Popeye," who was handling business for P. OJEDA in the jail.

22 (17) On or about May 15, 2004, defendant O. RUIZ told
23 defendant DIAZ that he informed "Amy," a narcotics dealer, she
24 would need to pay more in taxes to the Ojeda Organization if she
25 wanted to have O. RUIZ collect drug debts for her.

26 (18) On or about May 20, 2004, defendant DIAZ told an
27 unindicted co-conspirator and Alley Boys gang member incarcerated
28 in the Orange County Jail that defendant P. OJEDA was upset

1 because Alley Boys gang member "Chito" had stopped paying taxes
2 to P. OJEDA and DIAZ, and that the Alley Boys needed to have one
3 of its members resume paying taxes to P. OJEDA. In addition,
4 DIAZ directed the unindicted co-conspirator to tell another
5 unindicted co-conspirator also incarcerated inside the jail, that
6 prior to the other unindicted co-conspirator taking any action on
7 behalf of the Ojeda Organization, the other unindicted co-
8 conspirator had to check with DIAZ and P. OJEDA, because P. OJEDA
9 was unhappy with some recent actions taken inside the jail which
10 reflected badly on the Ojeda Organization out on the streets.

11 (19) On or about May 24, 2004, defendant O. RUIZ
12 informed defendant DIAZ that narcotics dealer "Amy" refused to
13 pay taxes and DIAZ directed O. RUIZ to steal her car temporarily
14 as punishment.

15 (20) On or about May 28, 2004, defendant O. RUIZ
16 informed defendant DIAZ that he had been unable to find narcotics
17 dealer "Amy" and DIAZ and O. RUIZ discussed assaulting "Amy's"
18 boyfriend as punishment for her not paying her taxes.

19 (21) On or about May 30, 2004, defendants P. OJEDA and
20 MELGOZA discussed what the penalty should be for a non-Ojeda
21 Organization member who was trying to extort taxes from a
22 narcotics trafficker protected by the Ojeda Organization.

23 (22) On or about June 9, 2004, defendant P. OJEDA and
24 M. DIAZ discussed P. OJEDA's extortion of a bail bondsman who
25 wanted permission from the Ojeda Organization to deal narcotics,
26 and DIAZ reminded P. OJEDA to inform the bail bondsman where he
27 could engage in narcotics trafficking and to tell the bail
28 bondsman that he could not interfere with any other narcotics

1 traffickers operating in that area.

2 (23) On or about June 13, 2004, defendant ALVARADO,
3 calling from the Orange County Jail, left a voicemail message for
4 defendant DIAZ, wherein ALVARADO informed DIAZ that he would make
5 sure tax money collected from inside the jail would be sent to
6 DIAZ and requested clarification regarding the green light status
7 on the 17th Street gang.

8 (24) On or about June 17, 2004, defendants SAUCEDO and
9 DIAZ discussed DIAZ putting a green light on an El Modena gang
10 member who had disrespected SAUCEDO's wife and daughter and how
11 much the gang member would have to pay to have the green light
12 canceled.

13 (25) On or about June 17, 2004, defendant ALVARADO,
14 calling from the Orange County Jail, and defendant DIAZ discussed
15 the status of green lights on various gangs, including the 17th
16 Street gang, and gang members in the jail.

17 (26) On or about June 18, 2004, defendant DIAZ told an
18 unindicted co-conspirator in the Orange County Jail that
19 defendant ALVARADO was now collecting taxes for P. OJEDA inside
20 the jail and that everything ALVARADO collected was going
21 directly to P. OJEDA. DIAZ also told the unindicted co-
22 conspirator that jail inmates "Baby" and "Wacko" were getting
23 assaulted in the jail pursuant to green lights.

24 (27) On or about June 18, 2004, defendant MEZA informed
25 defendant DIAZ that he had collected \$200 in taxes from a
26 narcotics trafficker, and MEZA and DIAZ discussed raising the
27 amount of taxes owed by the narcotics trafficker.

28 (28) On or about June 25, 2004, defendant DIAZ and an

1 unindicted co-conspirator in the Orange County Jail discussed
2 Ojeda Organization business, including a problem with non-gang
3 affiliated Mexican nationals in the jail who were trying to
4 organize, the green light status of certain gang members, and
5 problems with getting tax money out of the jail to DIAZ.

6 (29) On or about August 24, 2004, defendants DIAZ and
7 MELGOZA discussed assigning tax collection duties to gang members
8 "Chino" from the Delhi gang and "Cartoon" from the Lopers gang.

9 (30) On or about September 2, 2004, defendant DIAZ
10 directed defendant MAGALLON to find out the last name of an
11 Eastside gang member named "Joe" because "Joe" had not been
12 paying his taxes.

13 (31) On or about September 2, 2004, defendant DIAZ told
14 an unindicted co-conspirator in the Orange County Jail that
15 another unindicted co-conspirator had been stripped of his
16 authority in the jail and should be getting assaulted once a week
17 because of his mistakes.

18 (32) On or about September 3, 2004, defendants MELGOZA
19 and DIAZ discussed a problem with "Cruz," who was attempting to
20 tax "Ernie," a narcotics trafficker protected by the Ojeda
21 Organization, at "Ernie's" place of business, and DIAZ directed
22 MELGOZA to inform "Cruz" that "Ernie" was paying taxes to
23 defendant P. OJEDA and that "Cruz" could not do anything at that
24 location.

25 (33) On or about September 9, 2004, defendant BECERRA
26 told defendant DIAZ that he was going to tax a drug dealer who
27 had stolen \$150,000, and that he wanted a Pauline Street gang
28 member to rob a drug connection in order to get out of a green

1 light.

2 (34) On or about September 16, 2004, defendants
3 ESQUIVEL and MELGOZA went into Lopers gang territory to meet with
4 "Cartoon" regarding a tax collection issue.

5 (35) On or about September 18, 2004, defendant DIAZ put
6 defendant TORRES in charge of Module K in the Orange County Jail
7 and arranged for TORRES to get collected tax proceeds from inside
8 the jail to DIAZ.

9 (36) On or about September 19, 2004, defendant DIAZ
10 told defendant BECERRA that DIAZ had put defendant LEBRON in
11 charge of collecting taxes from the Travelers gang in Anaheim.

12 (37) On or about September 19, 2004, defendant SAUCEDO,
13 calling from the Orange County Jail, told defendant DIAZ that
14 SAUCEDO was having a problem with an inmate named "Spider," who
15 was trying to put a green light on another inmate without getting
16 the proper authority from DIAZ, and DIAZ directed SAUCEDO to tell
17 "Spider" to calm down or he would face the consequences.

18 (38) On or about September 21, 2004, defendant J. RUIZ
19 informed defendant DIAZ that the gang members from the Devious
20 Hoodlums gang wanted to pay money to have the green light taken
21 off the gang.

22 (39) On or about September 21, 2004, defendant DIAZ
23 directed an unindicted co-conspirator in the Orange County Jail
24 to put a green light on Pauline Street gang members in the jail.

25 (40) On or about September 22, 2004, defendant DIAZ
26 told defendant J. RUIZ that he would obtain some firearms for
27 him, and DIAZ and J. RUIZ agreed that they would meet with gang
28 members from the Devious Hoodlums gang that night to resolve the

1 green light status of the gang.

2 (41) On or about September 26, 2004, defendant LEBRON
3 informed defendant DIAZ that an Anaheim gang member named
4 "Capone" was concerned about a green light put on one of his
5 fellow gang members, and that "Capone" had made arrangements to
6 pay a drug debt owed to "Ernie," a narcotics dealer protected by
7 the Ojeda Organization, by trading a car for the debt.

8 (42) On or about September 28, 2004, defendant DIAZ
9 told defendant SAUCEDO, who was inside the Orange County Jail,
10 that the Under No Authority ("UNA") gang had a green light and
11 that a UNA gang member inside the jail should be getting a
12 beating once a week and not three times a day.

13 (43) On or about September 29, 2004, defendant DIAZ
14 instructed defendant LEBRON to deliver to his residence the car
15 being traded by "Capone" for the drug debt owed to "Ernie," a
16 narcotics dealer protected by the Ojeda Organization.

17 (44) On or about October 2, 2004, defendant LEBRON
18 informed defendant DIAZ that LEBRON told an Anaheim South Side
19 Killers ("SSK") gang member that they had to pay taxes to the
20 Ojeda Organization.

21 (45) On or about October 8, 2004, defendant TORRES
22 called defendant DIAZ from the Orange County Jail and informed
23 DIAZ that he had \$500 in tax proceeds collected from "Tito" from
24 La Habra, and DIAZ directed TORRES to have "Tito" assaulted once
25 a week until "Tito" paid off his debt for using the name of
26 defendant P. OJEDA without permission.

27 (46) On or about October 10, 2004, defendant MELGOZA
28 discussed with defendant DIAZ whether DIAZ was going to put

1 MELGOZA in charge of dealing with "Cartoon" on a tax collection
2 issue, because "Cartoon" felt more comfortable dealing with
3 MELGOZA rather than defendant ESQUIVEL.

4 (47) On or about October 11, 2004, defendant DIAZ and
5 defendant BECERRA discussed BECERRA taxing a suspected narcotics
6 dealer named "Bubba" from the Anaheim Vatos Locos gang, and
7 BECERRA updated DIAZ on BECERRA's efforts to collect taxes from
8 the La Jolla gang and the Atwood gang.

9 (48) On or about October 16, 2004, defendant MEZA told
10 defendant DIAZ that MEZA was surveilling a narcotics trafficker's
11 house and observing the volume of business so that the Ojeda
12 Organization could determine how much to tax the trafficker.

13 (49) On or about October 16, 2004, defendant J. RUIZ
14 informed defendant DIAZ that he had collected money from a
15 Devious Hoodlum gang member and would give the money to DIAZ.

16 (50) On or about October 16, 2004, defendant DIAZ spoke
17 with "Husky" from the Only the Hoodlums ("OTH") gang, who was
18 calling on behalf of "Tito," a La Habra gang member. "Husky" told
19 DIAZ that "Tito" wanted to know what he could do to get the green
20 light taken off his gang, and DIAZ said he would have discuss the
21 situation with defendant P. OJEDA.

22 (51) On or about October 28, 2004, defendant BECERRA
23 told defendant DIAZ that a gang member named "Bull" from 17th
24 Street had taken money and a shotgun from a suspected narcotics
25 dealer who had not been paying taxes to the Ojeda Organization,
26 and DIAZ told BECERRA to give the money to defendant P. OJEDA.
27 BECERRA also informed DIAZ that he had eight firearms stored if
28 they needed them.

1 (52) On or about October 30, 2004, defendant DIAZ
2 directed defendant ESQUIVEL to tell "Cartoon" to contact DIAZ
3 because DIAZ wanted to talk to "Cartoon" about a tax collection
4 issue.

5 (53) On or about November 1, 2004, defendants DIAZ and
6 BECERRA discussed taxing two 17th Street gang members.

7 (54) On or about November 1, 2004, defendant TORRES
8 called defendant DIAZ from the Orange County Jail and TORRES and
9 DIAZ discussed the green lights on the BNP gang, the UTA gang,
10 the Pauline Street gang, and two inmates named "Speedy" and
11 "Lefty."

12 (55) On or about November 6, 2004, defendant LEBRON
13 told defendant DIAZ that he spoke to defendant P. OJEDA and P.
14 OJEDA told him to tax the "SSK" gang members \$1,000.

15 (56) On or about November 11, 2004, defendant DIAZ
16 informed defendant LEBRON that defendant P. OJEDA had ordered
17 that defendant BECERRA would now be collecting taxes from Anaheim
18 gangs instead of LEBRON.

19 (57) On or about November 12, 2004, defendants DIAZ and
20 NERIDA discussed NERIDA's attempts to collect taxes from a
21 narcotics dealer.

22 (58) On or about November 13, 2004, defendant J. RUIZ
23 informed defendant DIAZ that "Creeper" was dealing narcotics and
24 not paying taxes and DIAZ directed RUIZ to inform "Creeper" that
25 they wanted a meeting with him.

26 (59) On or about November 14, 2004, defendant MAGALLON
27 informed defendant DIAZ that he was going to collect taxes from a
28 narcotics dealer named "Creeper."

1 (60) On or about November 14, 2004, defendant NERIDA
2 told defendant DIAZ that he had collected \$100 from a female who
3 wanted to begin paying taxes to the Ojeda Organization.

4 (61) On or about November 15, 2004, defendant DIAZ and
5 defendant J. RUIZ discussed J. RUIZ's unsuccessful attempt to
6 collect tax money from the Devious Hoodlums gang and J. RUIZ said
7 he informed the Devious Hoodlums gang members that they were late
8 with their tax payments and would get the green light put back on
9 them if they did not pay.

10 (62) On or about November 16, 2004, defendant BECERRA
11 told defendant DIAZ about a narcotics dealer who was operating a
12 high volume narcotics business out of a mobile home park in Santa
13 Ana, and BECERRA informed DIAZ that he thought the dealer was a
14 Mexican Mafia member or had the backing of a Mexican Mafia
15 member, even though defendant P. OJEDA informed BECERRA that he
16 was the only Mexican Mafia member in Orange County.

17 (63) On or about November 17, 2004, defendants DIAZ and
18 BECERRA discussed a drive-by shooting that occurred between the
19 La Jolla and Plas gangs and BECERRA told DIAZ he would
20 investigate the shooting.

21 (64) On or about November 19, 2004, defendant J. RUIZ
22 told defendant DIAZ that he was having difficulty finding anyone
23 from the Devious Hoodlums gang, and DIAZ said that the green
24 light would be put back on the gang if they did not contact J.
25 RUIZ.

26 (65) On or about November 23, 2004, defendant DIAZ told
27 defendant J. RUIZ that the green light was back on the Devious
28 Hoodlums gang and that they have to pay double the taxes because

1 they had not contacted J. RUIZ.

2 (66) On or about November 28, 2004, defendant TORRES
3 called defendant DIAZ from the Orange County Jail and DIAZ and
4 TORRES discussed that "Husky" from the "OTH" gang was going to
5 pay a full \$1,000 to DIAZ as a tax payment because "Husky" was
6 trafficking narcotics into the Orange County Jail.

7 (67) On or about November 29, 2004, defendants MEZA and
8 DIAZ discussed a green light to assault "Lefty" from the 7th
9 Street gang.

10 (68) On or about December 12, 2004, defendant DIAZ,
11 "Israel," a narcotics trafficker, and an Anaheim gang member
12 discussed how much narcotics business "Cisco" was conducting in
13 order for DIAZ to determine how much to demand in taxes from
14 "Cisco."

15 (69) On or about January 15, 2005, defendant DIAZ
16 directed defendant MEZA to go into Southside gang territory to
17 investigate who robbed the drug courier of a narcotics dealer
18 protected by the Ojeda Organization.

19 (70) On or about January 17, 2005, defendant MEZA
20 informed defendant DIAZ about the results of MEZA's investigation
21 into the robbery of the drug courier by Southside gang members.

22 (71) On or about January 23, 2005, defendants BECERRA
23 and DIAZ discussed taxing the Pauline Street gang and DIAZ told
24 BECERRA that the payments were to be weekly.

25 All in violation of Title 18, United States Code, Section
26 1962(d).

COUNT TWO

[21 U.S.C. § 846]

A. OBJECTS OF THE CONSPIRACY

18. Beginning on or about a date unknown to the Grand Jury, but at least since January 2004, and continuing to in or about January 2005, in Orange County, within the Central District of California, and elsewhere, defendants PETER OJEDA, aka "Sana," aka "The Senior," aka "The Big Homie," aka "The Homie," aka "The Old Man," aka "The S Man" ("P. OJEDA"), MARCO DIAZ, aka "Slim" ("DIAZ"), MARIO SAUCEDO, aka "Clumsy" ("SAUCEDO"), DAVID TRUJILLO, aka "3D" ("TRUJILLO"), ARTHUR DURAN, aka "Chino" ("DURAN"), JOSE ARVIZU, aka "Sonny" ("ARVIZU"), ROBERT OCAMPO, aka "Wicked" ("OCAMPO"), OSCAR RUIZ, aka "Snipes," aka "Sniper" ("O. RUIZ"), FREDDIE LUEVANO, aka "Freaky" ("LUEVANO"), ABRAHAM MAGALLON, aka "Chema" ("MAGALLON"), ABEL AZEVEDO, aka "Babs" ("AZEVEDO"), JOSEPH CASTRO, aka "Joe" ("CASTRO"), LAWRENCE MORALES, aka "Larry" ("MORALES"), LONG NGUYEN, aka "Chino" ("NGUYEN"), ROBERT CERVANTES, aka "Gordo" ("CERVANTES"), JOSE MARTINEZ, aka "Huero" ("MARTINEZ"), SANDRA FLORES ("FLORES"), DIEGO MORENO ("MORENO"), MIA RODRIGUEZ ("RODRIGUEZ"), and others conspired and agreed with each other to knowingly and intentionally (a) possess with intent to distribute and (b) distribute approximately 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance, and approximately 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic drug controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

1 B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE
2 ACCOMPLISHED

3 19. The objects of the conspiracy were to be accomplished
4 in substance as follows:

5 a. Defendant P. OJEDA would arrange to purchase
6 methamphetamine from defendant CASTRO and other sources.

7 b. Defendant CASTRO would obtain methamphetamine in
8 Mexico and elsewhere, and would deliver the methamphetamine to P.
9 OJEDA, at times using couriers such as defendant NGUYEN.

10 c. P. OJEDA would then sell methamphetamine, which he
11 received from defendant CASTRO and other sources, to defendant
12 MORALES and defendant DIAZ, so that MORALES and DIAZ could sell
13 methamphetamine to their customers.

14 d. Defendant CERVANTES would sell heroin to defendant
15 DIAZ and others, at times using couriers, including defendant
16 MARTINEZ and defendant FLORES, to deliver the heroin to DIAZ and
17 his other customers. CERVANTES would also purchase
18 methamphetamine from DIAZ for CERVANTES to sell to his customers.

19 e. Defendant DIAZ would sell methamphetamine to
20 defendant SAUCEDO, defendant TRUJILLO, defendant DURAN, defendant
21 ARVIZU, defendant OCAMPO, defendant O. RUIZ, defendant LUEVANO,
22 defendant MAGALLON, defendant AZEVEDO, defendant MORENO,
23 defendant RODRIGUEZ, defendant CERVANTES, and others, and would
24 sell heroin to defendant MORENO and others, so that they could
25 then sell the methamphetamine and heroin to their customers.

26 C. OVERT ACTS

27 20. In furtherance of the conspiracy and to accomplish the
28 objects of the conspiracy, defendants P. OJEDA, DIAZ, SAUCEDO,

1 TRUJILLO, DURAN, ARVIZU, OCAMPO, O. RUIZ, LUEVANO, MAGALLON,
2 AZEVEDO, CASTRO, MORALES, NGUYEN, CERVANTES, MARTINEZ, FLORES,
3 MORENO, RODRIGUEZ, and others committed various overt acts in
4 Orange County, within the Central District of California,
5 including but not limited to the following:

6 (1) On or about January 27, 2004, defendant P. OJEDA
7 and defendant CASTRO discussed when CASTRO would be able to
8 supply P. OJEDA with methamphetamine.

9 (2) On or about January 28, 2004, defendant P. OJEDA
10 advised defendant MORALES that he had methamphetamine to sell to
11 MORALES.

12 (3) On or about February 11, 2004, defendant CASTRO
13 delivered methamphetamine to defendant P. OJEDA.

14 (4) On or about February 11, 2004, defendant P. OJEDA
15 distributed methamphetamine to defendant MORALES.

16 (5) On or about February 16, 2004, defendant CASTRO
17 informed P. OJEDA that CASTRO would have defendant NGUYEN deliver
18 methamphetamine to P. OJEDA.

19 (6) On or about February 19, 2004, defendant MORALES
20 advised defendant P. OJEDA that the quantity of methamphetamine
21 previously distributed by P. OJEDA to MORALES was missing four
22 ounces.

23 (7) On or about February 19, 2004, defendant P. OJEDA
24 told defendant CASTRO that the quantity of the last delivery of
25 methamphetamine from CASTRO was missing four ounces.

26 (8) On or about April 15, 2004, defendant CERVANTES
27 agreed to sell three ounces of heroin to a confidential informant
28 ("the C/I") of the Santa Ana Gang Task Force and arranged for the

1 heroin to be delivered to the C/I.

2 (9) On or about April 15, 2004, defendant MARTINEZ
3 delivered the three ounces of heroin from defendant CERVANTES to
4 the C/I.

5 (10) On or about April 26, 2004, defendant P. OJEDA and
6 defendant CASTRO arranged for the delivery of methamphetamine to
7 P. OJEDA and P. OJEDA's payment to CASTRO for the
8 methamphetamine.

9 (11) On or about April 26, 2004, defendant P. OJEDA and
10 defendant MORALES discussed P. OJEDA supplying MORALES with
11 methamphetamine.

12 (12) On or about May 12, 2004, defendant ARVIZU ordered
13 a quantity of methamphetamine from defendant DIAZ.

14 (13) On or about May 14, 2004, defendant RODRIGUEZ
15 ordered a quantity of methamphetamine from defendant DIAZ.

16 (14) On or about May 15, 2004, defendant CERVANTES and
17 defendant DIAZ discussed how much DIAZ would charge CERVANTES for
18 various quantities of methamphetamine.

19 (15) On or about May 19, 2004, defendant P. OJEDA
20 ordered a two pound quantity of methamphetamine from defendant
21 CASTRO.

22 (16) On or about May 19, 2004, defendant NGUYEN and
23 defendant P. OJEDA arranged for NGUYEN to deliver the two pounds
24 of methamphetamine from defendant CASTRO to P. OJEDA.

25 (17) On or about May 19, 2004, defendant P. OJEDA sold
26 a pound quantity of methamphetamine to the C/I.

27 (18) On or about May 23, 2004, defendant RODRIGUEZ and
28 defendant DIAZ discussed the quality of methamphetamine DIAZ was

1 going to sell RODRIGUEZ.

2 (19) On or about May 27, 2004, defendant CERVANTES
3 agreed to sell three ounces of heroin to the C/I and arranged for
4 the heroin to be delivered to the C/I.

5 (20) On or about May 29, 2004, defendant AZEVEDO
6 ordered a quantity of methamphetamine from defendant DIAZ.

7 (21) On or about June 1, 2004, defendant P. OJEDA
8 ordered methamphetamine from defendant CASTRO.

9 (22) On or about June 1, 2004, defendant DIAZ and
10 defendant P. OJEDA discussed P. OJEDA obtaining methamphetamine
11 to supply to DIAZ.

12 (23) On or about June 1, 2004, defendant DIAZ advised
13 defendant OCAMPO that he was waiting on his supplier to deliver
14 methamphetamine so that DIAZ could then supply OCAMPO with
15 methamphetamine.

16 (24) On or about June 1, 2004, defendant P. OJEDA
17 advised defendant MORALES that he would be receiving more
18 methamphetamine that day and could then supply MORALES with
19 methamphetamine.

20 (25) On or about June 1, 2004, defendant NGUYEN
21 transported methamphetamine from defendant CASTRO to be delivered
22 to defendant P. OJEDA.

23 (26) On or about June 2, 2004, defendant DIAZ and
24 defendant P. OJEDA discussed defendant NGUYEN getting arrested on
25 June 1, 2004, with two pounds of methamphetamine.

26 (27) On or about June 9, 2004, defendant P. OJEDA told
27 defendant DIAZ he was arranging to obtain methamphetamine and
28 DIAZ requested that P. OJEDA contact him when P. OJEDA received

1 the methamphetamine.

2 (28) On or about June 11, 2004, defendant O. RUIZ and
3 defendant DIAZ arranged for O. RUIZ to pick up methamphetamine
4 from DIAZ.

5 (29) On or about June 11, 2004, defendant DIAZ told
6 defendant O. RUIZ to return the methamphetamine DIAZ had just
7 supplied to O. RUIZ because it was of questionable quality.

8 (30) On or about June 11, 2004, defendant P. OJEDA
9 contacted defendant DIAZ to inform him that the methamphetamine
10 P. OJEDA had supplied to DIAZ was worthless and that P. OJEDA
11 would retrieve the methamphetamine from DIAZ.

12 (31) On or about June 12, 2004, defendant DIAZ ordered
13 a quantity of heroin from defendant CERVANTES.

14 (32) On or about June 13, 2004, defendant MORENO and
15 defendant DIAZ discussed how much DIAZ would charge MORENO for a
16 quantity of methamphetamine.

17 (33) On or about June 16, 2004, defendant MORENO
18 ordered a quantity of methamphetamine from defendant DIAZ and
19 informed DIAZ that he would be making a future purchase of heroin
20 from DIAZ.

21 (34) On or about June 21, 2004, defendant OCAMPO
22 ordered a quarter pound of methamphetamine from defendant DIAZ.

23 (35) On or about August 20, 2004, defendant RODRIGUEZ
24 asked defendant DIAZ's advice regarding how much to charge a
25 buyer for a quantity of methamphetamine that DIAZ had previously
26 supplied to her.

27 (36) On or about August 26, 2004, defendant TRUJILLO
28 ordered a quantity of methamphetamine from defendant DIAZ.

1 (37) On or about August 29, 2004, defendant DIAZ
2 ordered a quantity of heroin from defendant CERVANTES.

3 (38) On or about August 29, 2004, defendant FLORES and
4 defendant DIAZ arranged for FLORES to deliver the heroin from
5 defendant CERVANTES to DIAZ.

6 (39) On or about September 3, 2004, defendant DIAZ
7 ordered a quantity of heroin from defendant CERVANTES.

8 (40) On or about September 3, 2004, defendant FLORES
9 and defendant MARTINEZ arranged to deliver the heroin from
10 defendant CERVANTES to defendant DIAZ.

11 (41) On or about September 3, 2004, defendant O. RUIZ
12 ordered a quantity of methamphetamine from defendant DIAZ.

13 (42) On or about September 4, 2004, defendant DIAZ
14 directed defendant TRUJILLO to advance a quantity of
15 methamphetamine to an unindicted co-conspirator and await payment
16 until the unindicted co-conspirator sold the methamphetamine.

17 (43) On or about September 4, 2004, defendant MORENO
18 ordered a quantity of heroin from defendant DIAZ.

19 (44) On or about September 6, 2004, defendant AZEVEDO
20 ordered a quantity of methamphetamine from defendant DIAZ.

21 (45) On or about September 10, 2004, defendant TRUJILLO
22 ordered a quantity of methamphetamine from defendant DIAZ.

23 (46) On or about September 10, 2004, defendant MAGALLON
24 ordered a quantity of methamphetamine from defendant DIAZ.

25 (47) On or about September 17, 2004, defendant
26 CERVANTES and defendant DIAZ arranged for defendant MARTINEZ to
27 deliver heroin to DIAZ.

28 (48) On or about October 2, 2004, defendant RODRIGUEZ

1 ordered a quantity of methamphetamine from defendant DIAZ.

2 (49) On or about October 7, 2004, defendant LUEVANO
3 ordered a quantity of methamphetamine from defendant DIAZ.

4 (50) On or about October 8, 2004, defendant ARVIZU
5 ordered a quantity of methamphetamine from defendant DIAZ.

6 (51) On or about October 28, 2004, defendant DURAN and
7 defendant DIAZ discussed the prices for various quantities of
8 methamphetamine.

9 (52) On or about October 30, 2004, defendant MAGALLON
10 ordered a quantity of methamphetamine from defendant DIAZ.

11 (53) On or about November 6, 2004, defendant DURAN
12 ordered a quantity of methamphetamine from defendant DIAZ.

13 (54) On or about November 7, 2004, defendant SAUCEDO
14 requested a quantity of methamphetamine from defendant DIAZ for
15 SAUCEDO to pick up and deliver to an unindicted co-conspirator.

16 (55) On or about November 12, 2004, defendant SAUCEDO
17 ordered a quantity of methamphetamine from defendant DIAZ.

18 (56) On or about November 14, 2004, defendant MAGALLON
19 ordered a quantity of methamphetamine from defendant DIAZ.

20 (57) On or about November 21, 2004, defendant RODRIGUEZ
21 informed defendant DIAZ that she had three buyers for
22 methamphetamine.

23 (58) On or about November 29, 2004, defendant SAUCEDO
24 informed defendant DIAZ that an unindicted co-conspirator wanted
25 a quantity of methamphetamine.

26 (59) On or about December 4, 2004, defendant MAGALLON
27 asked defendant DIAZ to inform him when DIAZ got another supply
28 of methamphetamine so that MAGALLON could take care of his

1 customers.

2 (60) On or about December 4, 2004, defendant P. OJEDA
3 informed defendant DIAZ that P. OJEDA had methamphetamine to
4 supply to DIAZ.

5 (61) On or about December 4, 2004, defendant DIAZ and
6 defendant MAGALLON arranged for DIAZ to distribute
7 methamphetamine to MAGALLON.

8 (62) On or about December 12, 2004, defendant DURAN
9 ordered a quantity of methamphetamine from defendant DIAZ.

10 (63) On or about January 8, 2005, defendant FLORES
11 arranged to deliver a quantity of heroin to defendant DIAZ.

12 (64) On or about January 22, 2005, defendant DIAZ
13 supplied defendant LUEVANO with a quantity of methamphetamine.

14 All in violation of Title 21, United States Code, Sections
15 841(a)(1) and 846.

COUNT THREE

[21 U.S.C. § 841((a)(1))]

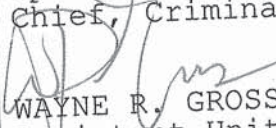
21. On or about May 19, 2004, in Orange County, within the Central District of California, defendant PETER OJEDA, aka "Sana," aka "The Senor," aka "The Big Homie," aka "The Homie," aka "The Old Man," aka "The S Man," knowingly and intentionally distributed approximately 399.2 grams of methamphetamine, a Schedule II controlled substance.

A TRUE BILL


Foreperson

DEBRA WONG YANG
United States Attorney

STEVEN D. CLYMER
Special Assistant United States Attorney
Chief, Criminal Division


WAYNE R. GROSS
Assistant United States Attorney
Chief, Santa Ana Branch Office